



BOARD OF ZONING ADJUSTMENTS

Final Agenda

November 13, 2017

MEETING INFORMATION

Location

City Council Chambers

1st Floor, City Hall
1300 Perdido Street
New Orleans, Louisiana

Time

10:00 a.m.

Board Members

Candice M. Forest – Chair

Todd C. James – Vice Chair

Jaime Ramiro Diaz

Alfonso Gonzalez II

Mary Harper Malone

Nikolaus Richard

Michael K. Broussard

The general public cannot speak
with the members personally.

The Board of Zoning Adjustments consists of seven citizen members appointed by the Mayor and approved by the City Council. The City Charter grants the Board the power to permit exceptions to or variations from the City's zoning regulations and to hear decision appeals from the Director of the Department of Safety and Permits in accordance with the principles, conditions, and procedures set forth in Article 14 of the City's Comprehensive Zoning Ordinance. The decision made by the Board will be provided in the form of a resolution. The resolution should be produced by **November 23, 2017**.

General Rules of Order

Robert's Rules of Order govern the conduct of the meeting. Any member of the public may speak on any matter before the Board. If you wish to appear before the Board, please fill out a Speaker Card and place it in the box provided. When you are recognized by the Chairperson, state your name and address and speak directly into the microphone.

Appeals

Any person or persons, or any officer, department, commission, board, bureau, or any other agency of the City of New Orleans jointly or singularly aggrieved by any decision of the Board of Zoning Adjustments may present to the Civil District Court of the Parish of Orleans, within thirty (30) days after filing of the decision in the office of the Board, a writ of certiorari asking for such relief and under such rules and regulations as are provided for such matters in appropriate legislation of the State of Louisiana.

- A. Call to Order, Roll Call, Adoption of Minutes, Communications and Reading of Hearing Rules
- B. Consideration – Adoption of the 2017 & 2018 Board of Zoning Adjustments Meeting Schedules
- C. Variances – Unfinished Business

ITEM 1 – Docket Number: 044-17¹

Applicant or Agent: French Quarter Apartments Ltd. Partnership, John C. Williams Architects
Property Location: 939 Iberville Street **Zip:** 70130
Bounding Streets: Iberville St., Burgundy St., Bienville St., Dauphine St.
Zoning District: VCC-2 Vieux Carré Commercial District
Historic District: Vieux Carré **Planning District:** 1b
Existing Use: Vacant Building **Square Number:** 144
Proposed Use: Multi-Family Residence **Lot Number:** 1, 2 or A, and 3
Project Planner: Travis Martin (trlmartin@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 24, Section 24.13.G.3.b (iv) of the Comprehensive Zoning Ordinance.

Request: This request is to permit a projecting sign with excessive area for an 87-unit multi-family dwelling.

Requested Waiver (Modified):

<u>Article & Section</u>	<u>Permitted</u>	<u>Provided</u>	<u>Waiver</u>
Article 24, Section 24.13.G.3.b (iv)—Zoning Districts Group 1	16 ft ² maximum	56 ft ²	40 ft ²



ITEM 2 – Docket Number: 057-17

Applicant or Agent: 1331 First LLC, John Williams
Property Location: 1331 First Street **Zip:** 70130
Bounding Streets: First St., Coliseum St., Philip St., Chestnut St.
Zoning District: HU-RD1 Historic Urban Two-Family Residential District
Historic District: Garden District **Planning District:** 2
Existing Use: Single-Family Residence **Square Number:** 180
Proposed Use: Single-Family Residence **Lot Number:** 1-9
Project Planner: Nicolette P. Jones (nicolette.jones@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a carport with insufficient corner side yard setback.

Requested Waiver:

Article 11, Section 11.3.A.1– Minimum Rear Yard Depth

Required: 15' Provided: 3' Waiver: 12'

¹ This request is for a rehearing, as requested by the applicant due to a staff error.

ITEM 5 – Docket Number: 079-17

Applicant or Agent: Glen D. Steeb
Property Location: 3029 Cadiz Street **Zip:** 70125
Bounding Streets: Cadiz St., S. Claiborne Ave., Jena St., S. Derbigny St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 692
Proposed Use: Single-Family Residence **Lot Number:** A
Project Planner: Sabine Lebailleur (selebailleur@nola.gov)

Request Citation: This request is for variances from the provisions of Article 21, Section 21.6.A (6), (8) and (3) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of an accessory structure with excessive height, substandard rear yard setback and substandard rear yard coverage (AFTER THE FACT).

Requested Waiver:

Article 21, Section 21.6.A (6) – Accessory Structures (Height)

Permitted: 14' Provided: 18'-6" Waiver: 4'-6"

Article 21, Section 21.6.A (8) – Accessory Structure (Corner Lot Rear Yard Setback)

Permitted: 3' Provided: 1'-6" Waiver: 1'-6"

Article 21, Section 21.6.A (3) – Accessory Structure (Rear Yard Coverage)

Permitted: 40% Provided: 54.1% Waiver: 14.1%

ITEM 7 – Docket Number: 084-17

Applicant or Agent: Lyons Den Development LLC, Dean M. Duplantier
Property Location: 821 Tchoupitoulas Street **Zip:** 70130
Bounding Streets: Tchoupitoulas St., Julia St., Constance St., St. Joseph St.
Zoning District: CBD-6 Urban Core Neighborhood Mixed-Use District
Historic District: Warehouse District **Planning District:** 1a
Existing Use: Parking Lot (Principal Use) **Square Number:** 123
Proposed Use: Parking Structure (Principal Use) **Lot Number:** 3, 4, 5, 201
Project Planner: Nicolette P. Jones (nicolette.jones@nola.gov)

Request Citation: This request is for variances from the provisions of Article 17, Section 17.3.B.1 and Article 17, Section 17.6.D of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a parking structure with no ground-floor uses, insufficient minimum ceiling height on the first floor, and with a garage entrance on a pedestrian street.

Requested Waivers:

<u>Article & Section</u>	<u>Permitted</u>	<u>Provided</u>	<u>Waiver</u>
Article 17, Section 17.3.B.1 – Required Uses for Ground Floors of Structures with Frontage on Multi-Modal/Pedestrian Corridors	25%	0%	25%
Article 17, Section 17.6.D.8 – Building Design Standards	Parking access prohibited	3 points of parking access	3 points of parking access
Article 17, Section 17.6.D.9 – Building Design Standards	No driveway	3 driveways	3 driveways
Article 23, Section 23.10.B – Tree Preservation	Prohibited tree removal	Tree removal	Tree removal



ITEM 8 – Docket Number: 085-17

Applicant or Agent: MMVNS LLC, Zella V. May
Property Location: 1812-1814 Martin Luther King, Jr. Boulevard **Zip:** 70113
Bounding Streets: Martin Luther King, Jr. Blvd., Baronne St., Terpsichore St., Dryades St.
Zoning District: HU-MU Historic Urban Neighborhood Mixed-Use District
Historic District: N/A **Planning District:** 2
Existing Use: Multi-Family Residence **Square Number:** 249
Proposed Use: Multi-Family Residence **Lot Number:** 7 or 5
Project Planner: Aspen Nero (asnero@nola.gov)

Request Citation: This request is for variances from the provisions of Article 12, Section 12.3.A.1 (Table 12-2) and Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of a two-family residence to a multi-family residence with insufficient minimum lot area per dwelling unit and insufficient off-street parking.

Requested Waivers:**Article 12, Section 12.3.A.1 (Table 12-2) – Minimum Lot Area**

Required: 3,000 sf Provided: 1,864 sf Grandfathered: 2,000 sf Waiver: 1,000 sf

Article 22, Section 22.4.A (Table 22-1) – Off-Street Vehicle and Bicycle Parking Requirements

Required: 1 space (2 grandfathered) Provided: 0 spaces Waiver: 1 space

**ITEM 9 – Docket Number: 086-17**

Applicant or Agent: Sunsinn Enterprises, Frank Sunsinn, Gunner Guidry
Property Location: 927 Sixth Street **Zip:** 70115
Bounding Streets: Sixth St., Constance St., Washington Ave., Laurel St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Irish Channel **Planning District:** 2
Existing Use: Vacant Lot **Square Number:** 115
Proposed Use: Two-Family Residence **Lot Number:** 23-A
Project Planner: Robin Jones (rcjones@nola.gov)

Request Citation: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance.

Request: This request is in conjunction with Subdivision Docket 085/17 to permit the creation of a lot with insufficient minimum lot width and insufficient minimum lot area.

Requested Waivers:**Article 11, Section 11.3.A.1 (Table 11-2A) – Minimum Lot Width**

Required: 30 ft. Provided: 24.8 ft. Waiver: 5.2 ft.

Article 11, Section 11.3.A.1 (Table 11-2A) – Minimum Lot Area

Required: 1,800 sf/du Provided: 1,488 sf/du Waiver: 312 sf/du

ITEM 10 – Docket Number: 087-17

Applicant or Agent: Samuel Taggard, Douglas Mayo
Property Location: 1231-1233 Governor Nicholls Street **Zip:** 70116
Bounding Streets: Governor Nicholls St., St. Claude St., Barracks St., Tremé St.
Zoning District: HMR-1 Historic Marigny/Tremé/Bywater Residential District
Historic District: Tremé **Planning District:** 4
Existing Use: Single-Family Residence **Square Number:** 141
Proposed Use: Two-Family Residence **Lot Number:** 8
Project Planner: Travis Martin (trlmartin@nola.gov)

Request: This request is for variances from the provisions of Article 9, Section 9.3.A (Table 9-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a second dwelling unit on a lot with insufficient minimum lot width and insufficient minimum lot area.

Requested Waivers:

<u>Article & Section</u>	<u>Required</u>	<u>Provided</u>	<u>Waiver</u>
Article 9, Section 9.3.A (Table 9-2) – Minimum Lot Area	2,400 ft ²	2,345 ft ²	55 ft ²
Article 9, Section 9.3.A (Table 9-2) – Minimum Lot Depth	90 ft.	81 ft.	9 ft.



ITEM 11 – Docket Number: 088-17

Applicant or Agent: 813 Frenchmen LLC, Rick Fifield, AIA
Property Location: 813 Frenchmen Street **Zip:** 70116
Bounding Streets: Frenchmen St., Burgundy St., Elysian Fields Ave., Dauphine St.
Zoning District: HMC-1 Historic Marigny/Tremé/Bywater Commercial District
Historic District: Faubourg Marigny **Planning District:** 7
Existing Use: Mixed-Use **Square Number:** 261
Proposed Use: Mixed-Use **Lot Number:** 2
Project Planner: Joseph Colón (jacolon@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 10, Section 10.3.A (Table 10-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit an addition onto a mixed-use development (commercial/residential) resulting in excessive Floor Area Ratio.

Requested Waiver:

<u>Article & Section</u>	<u>Permitted</u>	<u>Provided</u>	<u>Waiver</u>
Article 10, Section 10.3.A (Table 10-2) – Maximum FAR	1.4	2.56 (2.43 existing)	0.13

ITEM 12 – Docket Number: 089-17

Applicant or Agent: Marcus Azzarello, David Merlin
Property Location: 201 Crystal Street **Zip:** 70124
Bounding Streets: Crystal St., West End Blvd., Topaz St., Cameo St.,
Zoning District: S-LRS2 Suburban Lake Vista and Lake Shore Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Single-Family Residence **Square Number:** 3B
Proposed Use: Single-Family Residence **Lot Number:** 21
Project Planner: Emily Ramírez Hernandez (erhernandez@nola.gov)

Request Citation: This request is for variances from the provisions of Article 22, Section 22.11.B and Article 22, Section 22.11.D.1 of the Comprehensive Zoning Ordinance.

Request: This request is to permit a circular drive that encroaches into the minimum required corner side yard.

Requested Waivers:

Article 22, Section 22.11.B (1) (a) – Curb Cuts

Required: No parking space in required corner side yard

Provided: Parking space in required corner side yard

Waiver: Parking space in required corner side yard

Article 22, Section 22.11.D (1) – Parking Pad Design (Location)

Required: No parking pad in corner side yard

Provided: Parking pad in corner side yard

Waiver: Parking pad in corner side yard



ITEM 13 – Docket Number: 090-17

Applicant or Agent: Christian Silva
Property Location: 5868 Milne Boulevard **Zip:** 70124
Bounding Streets: Milne Blvd., Brooks St., Catina St., Harney St.
Zoning District: S-LRS1 Suburban Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Vacant Lot **Square Number:** 337
Proposed Use: Single-Family Residence **Lot Number:** B
Project Planner: Randall Gaither (ragaither@nola.gov)

Request Citation: This request is for variances from the provisions of Article 13, Section 13.3.A.1 (Table 13-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a single-family dwelling with insufficient minimum lot area, insufficient minimum lot width, insufficient minimum lot depth, insufficient front yard setback, insufficient corner side yard setback, and insufficient rear yard setback.

Requested Waivers:

Article 13, Section 13.3.A.1 (Table 13-2) – Minimum Lot Area		
Required: 4,800 ft ²	Provided: 1,750 ft ²	Waiver: 3,050 ft ²
Article 13, Section 13.3.A.1 (Table 13-2) – Minimum Lot Width		
Required: 40 ft.	Provided: 35 ft.	Waiver: 5 ft.
Article 13, Section 13.3.A.1 (Table 13-2) – Minimum Lot Depth		
Required: 90 ft.	Provided: 50 ft.	Waiver: 40 ft.
Article 13, Section 13.3.A.1 (Table 13-2) – Front Yard Setback		
Required: 20 ft.	Provided: 5 ft.	Waiver: 15 ft.
Article 13, Section 13.3.A.1 (Table 13-2) – Corner Side Yard Setback		
Required: 10 ft.	Provided: 3 ft.	Waiver: 7 ft.
Article 13, Section 13.3.A.1 (Table 13-2) – Rear Yard Setback		
Required: 20 ft.	Provided: 10 ft.	Waiver: 10 ft.



E. Director of Safety and Permits Decision Appeals – Unfinished Business

ITEM 14 – Docket Number: 052-17

Applicant or Agent:	Justin B. Schmidt	
Property Location:	N/A	Zip: N/A
Bounding Streets:	N/A	
Zoning District:	N/A	
Historic District:	N/A	Planning District: N/A
Existing Use:	N/A	Square Number: N/A
Proposed Use:	N/A	Lot Number: N/A

Request Citation: This is an appeal of a decision of the Director of the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance.

Request: This is an appeal of the decision of the Director of the Department of Safety and Permits regarding Zoning Memorandum Z-17-06.



ITEM 15 – Docket Number: 082-17

Applicant or Agent:	The Rampart Church LLC, Justin B. Schmidt, Adams and Reese Law Firm	
Property Location:	1236 N. Rampart Street	Zip: 70116
Bounding Streets:	N. Rampart St., Barracks St., Burgundy St., Governor Nicholls St.	
Zoning District:	VCC-2 Vieux Carré Commercial District	
Historic District:	Vieux Carré	Planning District: 1b
Existing Use:	Subject of Appeal	Square Number: 107
Proposed Use:	Subject of Appeal	Lot Number: 6, 7, 8, 9, 10, 11, 12

Request Citation: This is an appeal of a decision of the Director of the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance.

Request: This is an appeal of the decision of the Director of the Department of Safety and Permits regarding the determination of the use of the property.



F. Director of Safety and Permits Decision Appeals – New Business

ITEM 16 – Docket Number: 091-17

Applicant or Agent:	Garden District Association	
Property Location:	2801 Magazine Street	Zip: 70115
Bounding Streets:	Magazine St., Washington Ave., Camp St., Sixth St.	
Zoning District:	Historic Urban Neighborhood Business District	
Historic District:	Garden District	Planning District: 2
Existing Use:	Vacant Building	Square Number: 152
Proposed Use:	Restaurant, Standard	Lot Number: Y-1-G

Request Citation: This is an appeal of a decision of the Director of the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance.

Request: This is an appeal of the decision of the Director of the Department of Safety and Permits regarding the determination that the proposed use is a standard restaurant and not a fast food restaurant.

G. Adjournment